

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Revision of the Commission's Rules to Ensure)
Compatibility with Enhanced 911 Emergency)
Calling Systems)

Docket File No. 94-102

To: Wireless Telecommunications Bureau

MOTION TO WITHDRAW PETITION OF THUMB CELLULAR LIMITED
PARTNERSHIP FOR LIMITED WAIVER ON IMPLEMENTATION OF
WIRELESS E911 PHASE II AUTOMATIC LOCATION IDENTIFICATION

Thumb Cellular Limited Partnership (TCLP), by its attorney, hereby moves to withdraw its *Petition of Thumb Cellular Limited Partnership for Limited Waiver on Implementation of Wireless E911 Phase II Automatic Location Identification* (Petition, copy attached) signed as of November 26, 2001 and filed with the Commission on or about December 3, 2001. In support whereof, the following is respectfully submitted:

- 1) 47 C.F.R. Sec. 20.18(f) provides that

Phase-in for network-based location technologies. Licensees subject to this section who employ a network-based location technology shall provide Phase II 911 enhanced service to at least 50 percent of their coverage area or 50 percent of their population beginning October 1, 2001, or within 6 months of a PSAP request, whichever is later; and to 100 percent of their coverage area or 100 percent of their population within 18 months of such a request or by October 1, 2002, whichever is later.

- 2) As discussed at page 2 of the *Petition*, TCLP has selected a network-based solution for E911 Phase II compliance. § 20.18(f) provides that a carrier employing a network-based solution must meet the 50% coverage requirement "within 6 months of a PSAP request." At page 3 of the

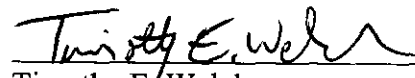
Petition TCLP discusses that "as of the date of this filing, Thumb Cellular has not received any PSAP Phase II requests." TCLP still has not received any PSAP requests for Phase II E911 service. Because TCLP has not received any requests for service from any PSAP, the 6 month clock has not yet started and TCLP's *Petition* is premature. Accordingly, TCLP requests that the Commission consider the instant filing as a withdrawal of the waiver request which seeks to implement a network-based E911 solution time line. TCLP regrets any inconvenience the staff might encounter processing this waiver withdrawal request.

3) TCLP does not object to the Commission maintaining the pleading on file if the Commission finds the information useful for reporting purposes. As a report the Commission is advised, *inter alia*, that TCLP's most recent estimate shows that it will take 9 months to implement E911 service to 50% of the market after the necessary network equipment and software are installed and 18 months from installation to reach the 100% level. The projected costs run in the \$1.2 million range, costs which do not include switch upgrade costs because TCLP leases switching access from Century and TCLP does not have to upgrade a switch.

WHEREFORE, in view of the information presented herein, it is respectfully submitted that the referenced waiver request be withdrawn from consideration.

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Respectfully submitted,
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II. Background

A. Type of Technology

In it's original filing Thumb Cellular indicated it would be implementing a network-based solution to the Commission's Automatic Location Identification ("ALI") requirements under Phase II of E911 deployment.

Thumb Cellular has been working with its switch-lessor, CenturyTel, as Thumb Cellular reviews its options for meeting the FCC's E911 Phase II requirements. CenturyTel and Thumb Cellular have sought information on handset-based technology from several equipment vendors, and handset providers, as a result, Thumb Cellular has concluded that no such solutions will be available for a TDMA air interface.

Because no vendor, to Thumb Cellular's knowledge, can provide a handset-based solution in the foreseeable future, Thumb Cellular is obliged to select a network-based solution for E911 Phase II in conjunction with it's switch lessor. The switch that is providing service in this market is Nortel technology, and requires a load upgrade to accommodate a network based solution. That load upgrade will not be available , at the earliest, until the end of first quarter, 2002

In addition to the switch upgrade issue, Thumb Cellular must reemphasize its concern that the cost of utilizing a network-based solution will be unreasonably burdensome. Thumb Cellular has calculated that use of a network-based solution will likely cost approximately \$42,000 per base station to implement. Thumb Cellular estimates that its total costs for E911 Phase II deployment

will be approximately \$1.2 million, or \$47.25 per subscriber. Thumb Cellular respectfully submits to the Commission that these costs are cause for dismay, given the lack of a cost recovery mechanism for E911 Phase II implementation.

B. Implementation Details and Schedule

Having chosen a network-based solution, because it was the only option, to comply with E911 Phase II, Thumb Cellular proposes the following modified timeline for compliance of the Commission's Phase I E9-1-1 requirements:

- § Thumb Cellular will provide updates as required in the Commission's most recent modification of the Rule;
- § By May 31, 2002 Thumb Cellular, and its switch lessor, CenturyTel, anticipates that all switch upgrades will be completed to provide the network based solution;
- § By May 31, 2002 Thumb Cellular and it's switch lessor, CenturyTel, is expected to have completed evaluation and testing of a network-based solution vendor, and entered into an agreement with said vendor;
- § Thumb Cellular, and its switch lessor, CenturyTel expects to be able to provide Phase II service to 50 percent of those PSAPs which request it, within 9 months of which the network based solution is installed and tested, currently projected at May 31, 2002; and 100 percent of those PSAPs that request it, within 18 months .


C. PSAP Requests

As of the date of this filing, Thumb Cellular has not received any PSAP Phase II requests.

III. Conclusion

The Commission has recognized that there are undue technical and logistic challenges that some carriers have in the implementation of Phase II E9-1-1, and has indicated that waivers are appropriate in these circumstances. Therefore, Thumb Cellular respectfully requests the

Commissions consideration of this limited waiver of the Phase II E9-1-1 requirements.

 11/26/01

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